

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

THE CHRISTIAN MINISTERIAL ALLIANCE, et
al.,

Plaintiffs,

v.

ASA HUTCHINSON, et al.,

Defendants.

Civil Case No. 4:19-cv-402-JM

**PLAINTIFFS' MOTION TO EXCLUDE THE EXPERT
REPORT AND TESTIMONY OF DR. PETER A. MORRISON**

Plaintiffs The Christian Ministerial Alliance, Arkansas Community Institute, Marion Humphrey, and Kymara Hill Seals (collectively, "Plaintiffs"), by and through their undersigned counsel and pursuant to Federal Rule of Evidence 702, Federal Rule of Civil Procedure 26, and *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), hereby move this Court to exclude the report and testimony of Defendants' expert, Dr. Peter A. Morrison.

A supporting memorandum of points and authorities accompanies this motion. As explained in that memorandum, Dr. Morrison's expert report and testimony are not supported by any sound or reliable methodology, and provide no expert opinion capable of assisting the trier of fact. Although Dr. Morrison purports to assess and evaluate the opinions of Plaintiffs' experts from the perspective of an applied demographer, Dr. Morrison fundamentally fails to proffer any opinion at all as to Mr. William Cooper's findings, and merely asserts without any proper explanation or analysis that Dr. Baodong Liu's findings relied on incomplete data. Throughout his deposition, Dr. Morrison himself acknowledges that significant portions of his report are

incomplete or otherwise beyond his purview as an expert. Because no supplementation can repair these fundamental deficiencies, this Court should exclude Dr. Morrison's report and testimony in their entirety.

Dated: New York, New York
September 16, 2021

Respectfully submitted,

Natasha Merle

Natasha Merle
Kristen Johnson
Victoria Wenger
NAACP LEGAL DEFENSE &
EDUCATION FUND, INC.
40 Rector Street, Fifth Floor
New York, NY 10006
Telephone: (212) 965-2200
Fax: (212) 226-7592
nmerle@naacpldf.org
kjohnson@naacpldf.org
vwenger@naacpldf.org

Arkie Byrd
MAYS, BYRD & O'GUINN, PLLC
212 Center Street, Suite 700
Little Rock, AR 72201
Telephone: (501) 372-6303
Fax: (501) 399-9280
abyrd@maysbyrdlaw.com

Demian A. Ordway
Neil R. Lieberman
Eileen M. DeLucia
HOLWELL SHUSTER & GOLDBERG LLP
425 Lexington Ave.
New York, New York 10017
Telephone: (646) 837-5151
Fax: (646) 837-5150
dordway@hsgllp.com
nlieberman@hsgllp.com
edelucia@hsgllp.com

Philip Urofsky
Rachel Mossman
SHEARMAN & STERLING LLP
401 9th Street, NW, Suite 800
Washington, DC 20004
Telephone: (202) 508-8000
Fax: (202) 508-8100
Philip.Urofsky@Shearman.com
Rachel.Mossman@Shearman.com